

department of any city, town or village responding to calls, nor to police patrols or physicians and/or ambulances responding to emergency calls; and providing that incorporated cities and towns may by ordinance regulate the speed of ambu-

lances, and declaring an emergency." Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

COLLIE, Chairman.

Final Disposition of Bills.

SUPPLEMENT.

Number of Bill or Resolu- tion	Date Filed	Vote	
		House	Senate
H. B. No. 399	May 17, 1933 11:20 a. m.	Yeas 113 Nays 0	Yeas 27 Nays 0
S. B. No. 557	May 17, 1933 3:15 p. m.	Yeas 105 Nays 2	Yeas 27 Nays 0
S. B. No. 558	May 17, 1933 3:15 p. m.	Yeas 104 Nays 0	Yeas 27 Nays 0

W. W. HEATH, Secretary of State.

SEVENTY-FOURTH DAY (Cont'd.)

Senate Chamber,  
Austin, Texas,  
May 19, 1933.

The Senate met at 10 o'clock a. m., pursuant to recess, and was called to order by President Pro Tem. Walter Woodul.

Message From the House.

Hall of the House of Representatives,  
Austin, Texas, May 19, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two Houses on Senate Bill No. 242. The following are conferees on the part of the House:

Harman, Ramsey, Stovall, Sullivant and Daniel.

The House has passed the following bills:

S. B. No. 185, A bill to be entitled "An Act amending paragraph No. (5) of Section 5, (Art. 4875a-5) of Chapter 274, of the General Laws of the Regular Session of the Forty-first Legislature and which relates to

the regulation of local mutual aid associations paying death benefits operating an assessment insurance benefit association and paying benefits, wherein the funds are provided by collection from the members; defining the law and the manner under which such association may operate, and said paragraph No. (5) of Section 5, which provides for the number of persons necessary to have given applications for membership in the association; the amount to be collected from each member; the showing to be made to the Board of Insurance Commissioners of Texas; a bond prescribed as a prerequisite to the organization of such associations and the amount and condition of said bond; the bond to be filed and approved before a certificate of authority is issued to said association or corporation for the conduct of the business of a local mutual aid association, and declaring an emergency."

(With amendments.)

S. B. No. 412, A bill to be entitled "An Act amending Article 7076 of the Revised Civil Statutes of Texas, 1925; relating to the recovery of money and penalties due the State of Texas; providing for the venue in such suits; and declaring an emergency."

(With amendments.)

S. B. No. 527, A bill to be entitled "An Act amending Senate Bill Number 512 passed at the Regular Session of the Forty-second Legislature, 1931; providing for changing and prescribing times of holding court in the 84th Judicial District of Texas; validating and containing all processes and writs, bonds, and recognizances, and making them returnable to the terms of court in the several counties in said district as herein fixed; validating the summoning of grand and petit jurors under the present law so as to render them available under the present Act; enacting proper provision relative to any term of court that may be in session when this act takes effect; repealing all laws in conflict herewith and declaring an emergency."

Respectfully submitted,  
LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### House Bill No. 409.

The Chair laid before the Senate on its third reading the following bill:

By Mr. Camp:

H. B. No. 409, A bill to be entitled "An Act providing for rules attacking the credibility of witnesses in civil and criminal cases by showing connection with crime, and declaring an emergency."

Read third time.

On motion of Senator Woodward, the bill was laid on the table subject to call.

#### House Bill No. 510.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Holland and Mr. Bradley:

H. B. No. 510, A bill to be entitled "An Act to amend Article 536 of the Penal Code of the State of Texas to provide that same shall not apply to self-help or credit scrip or other certificates of barter issued during the years 1933, 1934, and 1935, by any incorporated city, town, or village, or by any organized Chamber of Commerce, and declaring an emergency."

Read second time.

On motion of Senator Woodul, the bill was amended by substituting the

wording of S. B. No. 324, both body and caption for the body and caption of H. B. No. 510.

Senator Holbrook moved to indefinitely postpone further consideration of the bill. The motion prevailed by the following vote:

#### Yeas—15.

Collie.	Pace.
DeBerry.	Parr.
Duggan.	Purl.
Holbrook.	Rawlings.
Hopkins.	Sanderford.
Hornsby.	Stone.
Murphy.	Woodruff.
Oneal.	

#### Nays—8.

Blackert.	Regan.
Neal.	Russek.
Patton.	Woodul.
Redditt.	Woodward.

#### Present—Not Voting.

Fellbaum.

#### Absent.

Beck.	Moore.
Cousins.	Poage.
Greer.	Small.
Martin.	

#### Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 100.	S. B. No. 468.
S. B. No. 288.	S. B. No. 247.
S. B. No. 289.	S. B. No. 527.
S. B. No. 500.	

#### Motion to Concur.

On motion of Senator Hornsby, the Senate concurred in the House amendment to S. B. No. 185 by the following vote:

#### Yeas—28.

Beck.	Moore.
Blackert.	Murphy.
Collie.	Neal.
DeBerry.	Oneal.
Duggan.	Pace.
Fellbaum.	Parr.
Holbrook.	Patton.
Hopkins.	Purl.
Hornsby.	Rawlings.
Martin.	Redditt.

Regan.	Stone.
Russek.	Woodruff.
Sanderford.	Woodul.
Small.	Woodward.

Absent.

Greer. Poage.

Absent—Excused.

Cousins.

**Motion to Reconsider.**

Senator Woodruff moved to reconsider the vote by which H. B. No. 612 was finally passed and spread the motion on the Journal.

**Message from the Governor.**

Executive Department,  
Austin, Texas, May 19, 1933.

To the Texas State Senate:

I herewith return you S. B. No. 440, involving the question of the liquidation of banks through the Banking Commissioner of Texas, which I have disapproved and vetoed. My reason for such action is that if this bill becomes a law it will change the present law which authorizes the closing of insolvent banks and permit said banks to remain open, notwithstanding they have repudiated their obligations and refused to pay their deposits which are due on demand.

By Section 3 of this Act, the board of directors of any banking corporation, notwithstanding it may be insolvent, may meet and call themselves solvent and place their business in the hands of the Banking Commissioner for liquidation and thereby continue to remain open indefinitely under the plea of liquidation and prevent the closing of said bank and the prompt payment of its obligations.

By Section 4 of said Act, a friendly banking commissioner through the appointment of a friendly receiver in some court or through his own action, could permit the banks to stay open under the plea of liquidation indefinitely and in such event under the terms of said Section 4 the stockholders could not be called upon for assessments to pay the losses of said bank. In the meantime the assets of said bank could be consumed in the payment of salaries, expenses

and attorneys fees, all to the detriment of the stockholders and innocent depositors.

It is not necessary to call names, but it is known that this very thing is now being done, and two banking institutions having on deposit some Four Million Dollars of the State's money and hundreds of thousands of dollars of depositors' money, are refusing and failing to pay the State its money or the depositors their money, and they expect immediately upon the passage of this law to either have a friendly receiver appointed, or through the Banking Commissioner to make a contract for extended time of liquidation, and in the meantime the assets of said banks will be consumed largely in the payment of salaries, fees and attorneys fees, all to the detriment of the stockholders and depositors. This very thing has been going on for over two years and it ought to be stopped instead of allowing it to continue through the passage of this kind of legislation.

The individual depositors and the State need this money, and instead of legislation being passed to continue this repudiation, prompt action should be taken to protect the depositors and the State.

This bill is vicious, and I am sure the Legislature was not aware of its real purpose when same was adopted.

Respectfully submitted,

MIRIAM A. FERGUSON,

Governor of Texas.

The message was read.

Senator Woodward moved to refer the message to the Committee on Banks and Banking for consideration. The motion prevailed.

Senator Hopkins moved to pass S. B. No. 440 notwithstanding the Governor's veto and spread the motion on the Journal.

**House Bill No. 427.**

The Chair laid before the Senate on its second reading the following bill:

By Mr. Pope:

H. B. No. 427, A bill to be entitled "An Act for the designation, survey, construction, opening, and maintenance of a State Highway from Riviera to Raymondville, Texas, via

Sarita; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Read second time.

The committee amendment was read and adopted.

Senator Pace sent up the following amendment:

Amend H. B. No. 427 by adding a new section to be known as Section 2A as follows:

Section 2A. As a part of the highway system of the State of Texas there is hereby designated and ordered constructed under the general control and supervision of the Highway Commission of Texas the following highway to-wit: Beginning at the town of Troup in Smith County and extending generally south by the most direct and practical route to the town of Summerfield in Cherokee County and thence in the most direct and practical route to the town of Rusk in said Cherokee County. Said road shall be designated and built in due course of priority and shall be paved, provided the counties traversed by said highway shall furnish a suitable right of way at county cost.

Amend caption to conform.

PACE,  
REDDITT.

The amendment was read.

#### Message From the House.

Hall of the House of Representatives,  
Austin, Texas, May 19, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has concurred in Senate amendments to H. B. No. 921 by a viva voce vote.

The House has adopted the conference committee report on S. B. No. 242, by a vote of 114 yeas and 6 nays.

Respectfully submitted,  
LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

#### S. C. R. No. 71.

Senator Small sent up the following resolution:

Be it resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Regular Session of the Forty-third Legislature stand adjourned sine die at

six o'clock p. m., Tuesday, May 30, 1933.

SMALL,  
PURL.

The resolution was read.

The rule requiring resolutions to be referred before consideration was suspended by unanimous consent.

On motion of Senator Small, the resolution was laid on the table subject to call.

Senator Small gave notice he would call up the resolution Monday.

#### S. C. R. No. 72.

Senator Purl sent up the following resolution:

Be it resolved by the Senate of Texas, the House of Representatives concurring, That the Enrolling Clerk of the Senate be authorized and directed to make a correction in S. J. R. No. 2 by inserting the following language in lieu of the present "ballot" in said resolution:

"For the amendment to the Constitution of the State of Texas adding Section 61 to Article XVI, abolishing the fee system of compensating all district officers and all county officers in counties having a population of twenty thousand (20,000) or more; and authorizing the commissioners court to determine whether county officers in counties containing less than twenty thousand (20,000) population shall be compensated on a fee basis or a salary basis; and authorizing the commissioners court in all counties of this State to determine whether precinct officers shall be compensated on a fee or a salary basis."

"Against the amendment to the Constitution of the State of Texas adding Section 61 to Article XVI, abolishing the fee system of compensating all district officers and all county officers in counties having a population of twenty thousand (20,000) or more; and authorizing the commissioners court to determine whether county officers in counties containing less than twenty thousand (20,000) population shall be compensated on a fee basis or a salary basis; and authorizing the commissioners court in all counties of this State to determine whether precinct officers shall be compensated on a fee or a salary basis."

PURL.

Read and adopted.

**Free Conference Requested.**

On motion of Senator Martin, the Senate refused to concur in the House amendments to S. B. No. 412, and requested the appointment of a Free Conference Committee.

**Recess.**

On motion of Senator Russek, the Senate, at 12:13 o'clock p. m., recessed until 2 o'clock p. m.

**After Recess.**

The Senate met at 2 o'clock p. m., pursuant to recess and was called to order by Lieutenant Governor Edgar E. Witt.

**Conferees Appointed.**

The Chair announced the appointment of the following conferees on the part of the Senate on S. B. No. 412:

Martin, Murphy, Sanderford, Woodward, and Oneal.

**Free Conference Report.**

Senator Greer sent up the following Free Conference Committee report:

**Committee Room,**

Austin, Texas, May 19, 1933.

Hon. Edgar E. Witt, President of the Senate.

Hon. Coke Stevenson, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, appointed to adjust the differences between the two Houses on S. B. No. 242, have considered same, and recommend that the bill do pass as amended and passed by the House of Representatives, with the following additional amendments:

(1)

Amend S. B. No. 242, as amended in the House, by adding at the end of Section 1 the following:

"There is hereby appropriated \$4,318.00 for high school tuition for Floyd County and \$643.00 for high school tuition for Rusk County for the year 1931-1932; provided that the tuition claim for Rusk County shall lapse into the Treasury unless the Board of Trustees of Mount Enterprise Independent School District can make proof of their claim for high school tuition to the satisfac-

tion of the State Board of Education."

Respectfully submitted,  
GREER,  
DUGGAN,  
PACE,  
BLACKERT,  
REDDITT,

On the part of the Senate.

HARMAN,  
RAMSEY,  
STOVALL,  
DANIEL,  
SULLIVANT,

On the part of the House.

Read and adopted by the following vote:

Yeas—27.

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.
Pace.	

Absent—Excused.

Cousins.	Moore.
DeBerry.	Woodward.

**Senator Excused.**

Senator Cousins was excused for the afternoon on account of illness in the family, on motion of Senator Redditt.

**Free Conference Report.**

Senator Woodul sent up the following Free Conference Committee report:

**Committee Room,**

Austin, Texas, May 17, 1933.

Hon. Edgar E. Witt, President of the Senate.

Hon. Coke R. Stevenson, Speaker of the House of Representatives.

Sirs: We, your conferees, heretofore appointed to adjust the differences between the two Houses on S. B. No. 429, A bill to be entitled "An Act to provide and establish the two platoon system for firemen in all cities of fifty thousand (50,000) inhabitants or more in this

State, according to the last preceding Federal Census, and providing the number of hours such firemen shall be on duty and providing the penalty for violation of same and declaring an emergency."

Having considered the differences between the two Houses and having reached an agreement, beg leave to report that the hereto attached completed bill is the bill which we recommend to be passed by both Houses.

The bill is substantially the same as the original Senate Bill with House amendments, re-written by us so as to make the provisions of the same applicable to the City of El Paso, Texas.

We recommend the adoption of this report and the final passage by both Houses of the attached bill.

WOODUL,  
SANDERFORD,  
COLLIE,  
DeBERRY,  
MARTIN.

On part of the Senate.

HOLLAND,  
HANKAMER,  
JAMES,  
DWYER,  
McDOUGALD.

On part of the House.

S. B. No. 429.

#### A BILL

#### To Be Entitled

An Act to provide and establish the two platoon system for firemen in all cities containing more than One Hundred Thousand (100,000) inhabitants and less than One Hundred Twenty Thousand (120,000) inhabitants in this State, according to the last preceding Federal Census, in counties containing more than Nine Hundred (900) square miles, and in all cities of Two Hundred Sixty-five Thousand (265,000) inhabitants, or more, in this State, according to the last preceding Federal Census, in counties containing more than Fifteen Hundred (1500) square miles; providing the number of hours such firemen shall be on duty; providing a penalty for the violation of same, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. Fire Department—Hours of Labor. In all cities containing more than One Hundred Thousand (100,000) inhabitants and less than One Hundred Twenty Thousand (120,000) inhabitants, in this State, according to the last preceding Federal Census, in counties containing more than Nine Hundred (900) square miles, and in all cities of Two Hundred Sixty-five Thousand (265,000) inhabitants, or more, in this State, according to the last preceding Federal Census, in counties containing more than Fifteen Hundred (1500) square miles, which maintain an organized, paid fire department, there shall be established and maintained two platoon fire system, and no employee of such department shall be compelled to be on duty more than ten (10) consecutive hours during the day time, nor more than fourteen (14) consecutive hours during the night time; provided, that in no event shall employees of such fire departments be required to be on duty more than fourteen (14) hours in any period of twenty-four (24) consecutive hours, except as provided in Section 2 of this Act.

Sec. 2. Chief of Fire Department—Duty of. The head or chief officer of such fire department or companies in such cities shall so arrange the working hours of the employees of such fire department or companies so that each employee shall work, as near as practicable, an equal number of hours per month; provided the two platoons may be so arranged as to work twenty-four hours each on duty and twenty-four hours off duty; provided, that the head or chief officer of such department, his aids or assistants may, in their discretion, in cases of emergency or great conflagrations require such employee, or employees to continue on duty during such conflagration or emergency, for a greater period than specified in Section 1 hereof.

Sec. 3. That any chief of such fire department or companies or any other officer or person who violates or causes to be violated any provision of this Act shall be guilty of a misdemeanor, and shall upon conviction be punished by a fine of not less than Ten and No/100 (\$10.00)

Dollars nor more than One Hundred and No/100 (\$100.00) Dollars; each employee required or permitted to work in violation of the provisions hereof and each and every day of such violation shall constitute a separate offense.

Sec. 4. That on account of such irregular hours of duty of firemen in cities of more than One Hundred Thousand (100,000) inhabitants and less than One Hundred Twenty Thousand (120,000) inhabitants, and in cities of Two Hundred Sixty-five Thousand (265,000) inhabitants, or more, and on account of the necessity of establishing a two platoon system to regulate the hours of duty of said firemen in such cities, it thereby creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be suspended, and it is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Read and adopted by the following vote:

Yeas—27.

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.
Pace.	

Absent—Excused.

Cousins.	Moore.
DeBerry.	Woodward.

**H. C. R. No. 83.**

The Chair laid before the Senate: H. C. R. No. 83, Authorizing correction of H. B. No. 169.

Read and referred to Committee on Finance.

**Message From the House.**

Hall of the House of Representatives, Austin, Texas, May 19, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House

to inform the Senate that the House has passed the following bill:

H. B. No. 672, A bill to be entitled "An Act amending Chapter 17, House Bill No. 122, of the Acts of the First Called Session of Fortieth Legislature by changing and redefining the term 'loan broker,' and by re-enacting the remaining portion of said Act except the changing of the words 'household and kitchen furniture' to 'personal property,' and declaring an emergency."

(With engrossed rider.)

The House has adopted H. C. R. No. 93, Authorizing certain changes in H. B. No. 921.

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

**House Bill Referred.**

H. B. No. 672, referred to Committee on Civil Jurisprudence.

**House Bill No. 427.**

The question recurred upon the pending amendment by Senator Pace to H. B. No. 427.

Senator Holbrook moved to table the amendment. The motion prevailed by the following vote:

Yeas—12.

Beck.	Hornsby.
Blackert.	Murphy.
Collie.	Oneal.
Duggan.	Poage.
Fellbaum.	Small.
Holbrook.	Woodul.

Nays—9.

Greer.	Redditt.
Hopkins.	Russek.
Pace.	Sanderford.
Parr.	Stone.
Patton.	

Present—Not Voting.

Neal.

Absent.

Martin.

Rawlings.

Absent—Excused.

Cousins.

Woodward.

DeBerry.

(Pairs Recorded.)

Senator Purl (present) who would vote yea, with Senator Moore (absent) who would vote nay.

Senator Regan (present) who would vote yea, with Senator Woodruff (absent) who would vote nay.

Senator Stone sent up the following amendment:

Amend H. B. No. 427 by adding a new section to be known as Section 2-b as follows:

Section 2b. As a part of the highway system of the State of Texas there is hereby designated and ordered constructed under the general control and supervision of the Highway Commission of Texas the following highway to-wit: Beginning at the town of Somerville in Burleson County, Texas, and extending generally north by the most direct and practical route through the town of Caldwell to the Milam County line. Said road shall be designated and built in due course of priority and shall be paved, provided the counties traversed by said highway shall furnish a suitable right of way at county cost.

STONE.

The amendment was read.

Senator Hornsby moved to table the amendment. The motion prevailed by the following vote:

Yeas—13.

Beck.	Neal.
Blackert.	Oneal.
Collie.	Purl.
Duggan.	Regan.
Holbrook.	Small.
Hornsby.	Woodul.
Murphy.	

Nays—11.

Fellbaum.	Poage.
Greer.	Redditt.
Hopkins.	Russek.
Pace.	Stone.
Parr.	Woodruff.
Patton.	

Absent.

Rawlings.	Sanderford.
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Absent—Excused.

Cousins.	Moore.
DeBerry.	Woodward.
Martin.	

Senator Redditt sent up the following amendment:

Amend H. B. No. 427 by adding a new section as follows:

"The Highway Commission of the State of Texas is hereby directed and ordered to complete immediately and within the year 1933 all uncompleted gaps in Highway No. 8, beginning at the Oklahoma line north of New Boston, Texas, and extending through Linden, Jefferson, Marshall, Carthage, Center, San Augustine, Brookland, Jasper, Beaumont and to Port Arthur, Texas; and the Highway Commission is further ordered to immediately and within the year 1933 to complete the remaining gaps in Highway No. 40 beginning at the Oklahoma line north of Gainesville, Texas, and running through Denton, Dallas, Athens, Jacksonville, Rusk, Lufkin, Huntington, Zavalla, Rockland, Colmesneil, Woodville, Kountze, Warren and to a point ten miles north of Beaumont, Texas, where Highway No. 40 and Highway No. 8 connect."

REDDITT.

On motion of Senator Purl, the previous question was ordered on pending amendments and the passage of the bill to third reading.

The amendment was read and lost by the following vote:

Yeas—8.

Greer.	Redditt.
Hopkins.	Russek.
Neal.	Sanderford.
Parr.	Stone.

Nays—14.

Beck.	Murphy.
Blackert.	Oneal.
Collie.	Patton.
Duggan.	Regan.
Fellbaum.	Small.
Holbrook.	Woodruff.
Hornsby.	Woodul.

Absent.

Rawlings.

Absent—Excused.

Cousins.	Martin.
DeBerry.	Woodward.

(Pairs Recorded.)

Senator Poage (present) who would vote nay, with Senator Pace (absent) who would vote yea.

Senator Purl (present) who would vote nay, with Senator Moore (absent) who would vote yea.

The Chair laid before the Senate the following amendment:

Amend H. B. No. 427 by adding a new section to be known as Section No. 2b as follows:

Section 2b. As a part of the highway system of the State of Texas there is hereby designated and ordered constructed under the general control and supervision of the Highway Commission of Texas the following highway to-wit: Beginning at the town of Falfurrias in Brooks County and extending generally west to Hebronville in Jim Hogg County by the most direct and practical route to the town of Hebronville in Jim Hogg County. Said road shall be designated and built in due course of priority and shall be paved and finished in 1933, provided the counties traversed by said highway shall furnish a suitable right-of-way at county cost.

Amend caption to conform.

PARR.

Read and lost by the following vote:

Yeas—8.

Fellbaum.	Patton.
Greer.	Redditt.
Hopkins.	Russek.
Parr.	Stone.

Nays—14.

Beck.	Neal.
Blackert.	Oneal.
Collie,	Poage.
Duggan.	Regan.
Holbrook.	Small.
Hornsby.	Woodruff.
Murphy.	Woodul.

Absent.

Sanderford.

Absent—Excused.

Cousins.	Pace.
DeBerry.	Rawlings.
Martin.	Woodward.

(Pair Recorded.)

Senator Purl (present) who would vote nay, with Senator Moore (absent) who would vote yea.

The Chair laid before the Senate the following amendment:

Amend H. B. No. 427, by adding a new section to be known as Section 2-c as follows:

Section 2-c. As a part of the highway system of the State of Texas there is hereby designated and ordered constructed under the general control and supervision of the Highway Commission of Texas, the following highway to-wit: Beginning at the town of Catarina in Dimmit County and extending generally east to the town of San Diego in Duval County. Said road shall be designated and built in due course of priority and shall be paved and finished in 1933, provided the counties traversed by said highway shall furnish a suitable right of way at county cost.

Amend caption to conform.

PARR.

Read and lost by the following vote:

Yeas—8.

Fellbaum.	Patton.
Greer.	Redditt.
Hopkins.	Russek.
Parr.	Stone.

Nays—14.

Beck.	Neal.
Blackert.	Oneal.
Collie,	Poage.
Duggan.	Regan.
Holbrook.	Small.
Hornsby.	Woodruff.
Murphy.	Woodul.

Absent—Excused.

Cousins.	Rawlings.
DeBerry.	Sanderford.
Martin.	Woodward.
Pace.	

(Pair Recorded.)

Senator Purl (present) who would vote nay, with Senator Moore (absent) who would vote yea.

The bill failed to pass to third reading by the following vote:

Yeas—7.

Blackert.	Patton.
Holbrook.	Regan.
Hornsby.	Small.
Oneal.	

Nays—13.

Beck.	Hopkins.
Collie,	Murphy.
Fellbaum.	Neal.
Greer.	Parr.

Redditt. Woodruff.  
Russek. Woodul.  
Stone.

Absent.

Sanderford.

Absent—Excused.

DeBerry. Rawlings.  
Martin. Woodward.

(Pairs Recorded.)

Senator Duggan (present) who would vote yea, with Senator Cousins (absent) who would vote nay.

Senator Poage (present) who would vote yea, with Senator Pace (absent) who would vote nay.

Senator Purl (present) who would vote yea, with Senator Moore (absent) who would vote nay.

**H. C. R. No. 93.**

The Chair laid before the Senate: H. C. R. No. 93, Authorizing correction of H. B. No. 921.

Read and adopted.

**Motion to Concur.**

Senator Hopkins moved to concur in the two House amendments to S. B. No. 148. The motion prevailed by the following vote:

Yeas—21.

Beck.	Purl.
Blackert.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Parr.	Woodul.
Patton.	

Nays—4.

Collie.	Oneal.
DeBerry.	Poage.

Absent.

Duggan.

Absent—Excused.

Cousins.	Pace.
Martin.	Woodward.
Moore.	

**Senate Bill No. 532.**

Senator Small called from the Journal the motion to reconsider the vote by which S. B. No. 532 was finally passed.

Senator Small moved to table the motion to reconsider. The motion prevailed.

**House Bill No. 937.**

The Chair laid before the Senate, by unanimous consent, the following bill:

H. B. No. 937, A bill to be entitled "An Act validating bonds of cities and towns issued for the purchase, construction, improvement, or repair of any light, gas, water, or sewer system owned and operated by such city or town, under authority of Chapter 314, of the General Laws passed by the Forty-second Legislature at its Regular Session, in 1931, where such bonds have been approved, as to legality and purpose, by the Reconstruction Finance Corporation; validating the sale of such bonds, and declaring the same legal obligations upon the properties encumbered to secure their payment; providing and authorizing the issuance, sale, and delivery of any such bonds heretofore authorized pursuant to this statute, etc.; and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Woodruff, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 937 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Parr.
Blackert.	Patton.
Collie.	Poage.
DeBerry.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

**Absent—Excused.**

Cousins. Pace.  
 Martin. Woodward.  
 Moore.

Read third time and finally passed by the following vote:

**Yeas—25.**

Beck.	Patton.
Blackert.	Poage.
Collie.	Purl.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.
Parr.	

**Present—Not Voting.**

DeBerry.

**Absent—Excused.**

Cousins. Pace.  
 Martin. Woodward.  
 Moore.

**Motion to Set Special Order.**

Senator Woodruff moved to set H. B. No. 464 as special order at 10:30 o'clock next Wednesday morning. The motion prevailed by the following vote:

**Yeas—20.**

Beck.	Patton.
Collie.	Purl.
DeBerry.	Rawlings.
Fellbaum.	Redditt.
Hopkins.	Regan.
Hornsby.	Russek.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Parr.	Woodul.

**Nays—3.**

Blackert. Poage.  
 Holbrook.

**Absent.**

Duggan. Greer.

**Absent—Excused.**

Cousins. Pace.  
 Martin. Sanderford.  
 Moore. Woodward.

**Message From the House.**

Hall of the House of Representatives, Austin, Texas, May 19, 1933.  
 Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a conference committee to consider the differences between the two houses on S. B. No. 412. The following are conferees on the part of the House: Barron, Cowley, Weinert, Stinson, and Alexander.

The House has passed the following resolution:

S. C. R. No. 72, Authorizing the Enrolling Clerk of the Senate to make certain corrections in S. J. R. No. 2.

Respectfully submitted,  
 LOUISE SNOW PHINNEY,  
 Chief Clerk, House of Representatives.

**Bills Signed.**

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 553. H. B. No. 921.  
 S. B. No. 185. H. C. R. No. 93.  
 H. B. No. 175.

**House Bill No. 459.**

Senator Neal called up from the table the following bill:

By Mr. Cathey, Mr. Dunagan, Mr. Hester, Mr. Hyder, Mr. Chastain, Mr. Latham, and Mr. Holloway:

H. B. No. 459, A bill to be entitled "An Act to amend Acts 1929, Forty-first Legislature, Second Called Session, page 172, Chapter 88, Section 13, relating to the issuance of license number plates; providing that said plates shall be manufactured and produced in the State Penitentiary at Huntsville, Texas, and declaring an emergency."

The question recurred upon the amendment by Senator Neal adding Section 3 to the bill. Senator Neal withdrew the amendment.

The question recurred upon the amendment by Senator Neal to Section 2 of the bill. The amendment was adopted.

Senator Rawlings raised the point of order that a quorum was lacking.

The roll call showed the following present:

Beck.	Patton.
Collie,	Poage.
DeBerry.	Purl.
Fellbaum.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Russek.
Martin.	Sanderford.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Parr.	Woodul.

Absent—7.

Blackert.	Moore.
Cousins.	Pace.
Duggan.	Woodward.
Greer.	

The bill was passed to third reading.

On motion of Senator Neal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 459 was put on its third reading and final passage by the following vote:

Yeas—25.

Beck.	Parr.
Collie,	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	

Nays—1.

Rawlings.

Absent.

Blackert.

Absent—Excused.

Cousins.	Pace.
Moore.	Woodward.

Read third time and finally passed by the following vote:

Yeas—19.

Beck.	Greer.
DeBerry.	Holbrook.
Collie.	Martin.
Duggan.	Murphy.

Neal.	Redditt.
Oneal.	Russek.
Parr.	Sanderford.
Patton.	Small.
Poage.	Stone.
Purl.	

Nays—7.

Fellbaum.	Regan.
Hopkins.	Woodruff.
Hornsby.	Woodul.
Rawlings.	

Absent.

Blackert.

Absent—Excused.

Cousins.	Pace.
Moore.	Woodward.

H. C. R. No. 83.

The Chair laid before the Senate: H. C. R. No. 83, Authorizing correction of H. B. No. 169.

The resolution was read.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The resolution was adopted.

House Bill No. 440.

Senator Hopkins moved to recall H. B. No. 440 and the Governor's veto message from the Committee on Banks and Banking and to set the bill and the message as special order Tuesday morning at 10 o'clock, to pass the bill notwithstanding the Governor's veto.

The motion prevailed.

Senator Purl asked to be recorded as voting "No."

House Bill No. 867.

The Chair laid before the Senate by unanimous consent, the following bill:

H. B. No. 867, A bill to be entitled "An Act amending Articles 7245, 7246, 7247, 7248, and 7249, of the 1925 Revised Civil Statutes of Texas, by providing for the election, oath, and bond of the office of assessor and collector of taxes, as combined by the recent amendment to the Constitution; providing that Articles 7181 to 7359, inclusive, of Title 122, of the 1925 Revised Civil Statutes of Texas, including all amendments, as well as the 1925 Revised Civil Statutes, shall be so construed as to carry out the purpose of the constitutional amendment providing for

one officer, and that the words 'assessor,' 'assessor of taxes,' 'collector,' 'collector of taxes,' or 'tax collector,' shall refer to and mean one office or officer; repealing Articles 7177, 7178, 7179, and 7180, of Title 122, of the 1925 Revised Civil Statutes of Texas; and declaring an emergency."

The three committee amendments were adopted.

Senator Oneal received unanimous consent to amend the caption to conform to the body of the bill.

The bill was read second time and passed to third reading.

On motion of Senator Oneal, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 867 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russeck.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russeck.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

Absent.

Blackert.

Absent—Excused.

Cousins.  
Moore.

Pace.  
Woodward.

House Bill No. 893.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 893, A bill to be entitled "An Act providing for the taking of fish from the fresh waters of Cooke County, Texas, and making it unlawful to take any such fish except by ordinary hook and line, or by seine, or net, the mesh of which is less than one and one-half inches square; providing that seines and nets may be used only during the month of August, etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Murphy, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 893 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russeck.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Greer.
Collie.	Holbrook.
DeBerry.	Hopkins.
Duggan.	Hornsby.
Fellbaum.	Martin.

Murphy.	Redditt.
Neal.	Regan.
Oneal.	Russek.
Parr.	Sanderford.
Patton.	Small.
Poage.	Stone.
Purl.	Woodruff.
Rawlings.	Woodul.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

**House Bill No. 938.**

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 938, A bill to be entitled "An Act amending Article 1456, of the Penal Code of the State of Texas, 1925, so as not to exempt Jasper and Newton Counties from the provisions of certain articles of the Penal Code; and declaring an emergency." (Relative to hide inspections, etc.)

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Redditt, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 938 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

**House Bill No. 895.**

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 895, A bill to be entitled "An Act making it unlawful for any person to hunt, trap, kill, or attempt to kill, by any means whatsoever, any wild turkey in the Counties of Guadalupe and Comal for a period of five (5) years, etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Hopkins, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 895 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

Absent—Excused.

Blackert.	Pace.
Moore.	Woodward.
Cousins.	

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

House Bill No. 887.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 887, A bill to be entitled "An Act providing for rural school supervisors in certain counties, in lieu of teachers' institutes; prescribing the duties of said supervisors, and how it shall be paid; prescribing other things incidental to said purposes; and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Sanderford, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 887 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—25.

Beck.	Patton.
Collie.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.
Parr.	

Nays—1.

DeBerry.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

House Bill No. 929.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 929, A bill to be entitled "An Act authorizing Dallas County Arcadia Fresh Water Supply District No. 1 to incur indebtedness evidenced by contract, agreement, notes, or warrants, and to borrow money from Reconstruction Finance Corporation, for any purpose incidental to its powers and functions, including the construction of repairs, replacements, and extensions to its water systems, and to pay off from and to pledge for the payment thereof, any part of its income or revenues, and to mortgage its properties and facilities; providing for an election to authorize the incurring of indebtedness, and validating any election heretofore held in compliance with the provisions of this Act, etc., and declaring an emergency."

The bill was read second time and passed to third reading.

On motion of Senator Purl, the constitutional rule requiring bills to be read on three several days was

suspended and H. B. No. 929 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Rogan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—22.

Beck.	Patton.
Duggan.	Poage.
Fellbaum.	Purl.
Greer.	Redditt.
Hopkins.	Rogan.
Hornsby.	Russek.
Martin.	Sanderford.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Parr.	Woodul.

Nays—3.

Collie.	Holbrook.
DeBerry.	

Present—Not Voting.

Rawlings.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

House Bill No. 333.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Greathouse:

H. B. No. 333, A bill to be entitled "An Act amending Article 2020 of the Revised Civil Statutes, 1925,

with respect to the record in causes where a plea of privilege is sustained, providing for severable causes, and requiring amended pleadings to conform to court's ruling, and declaring an emergency."

Read second time.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

Senator Rawlings sent up the following amendment:

Amend H. B. No. 333 by striking out the last paragraph of Section 1 and substituting in lieu thereof the following:

"Provided, however, if the cause be severable as to parties defendant, the clerk, instead of sending the original papers, shall make certified copies of such filed papers as directed by the Court and forward the same to the clerk of the court to which the venue has been changed."

RAWLINGS.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Rawlings the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 333 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Rogan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	DeBerry.
Collie.	Duggan.

Fellbaum.	Poage.
Greer.	Purl.
Holbrook.	Rawlings.
Hopkins.	Redditt.
Hornsby.	Regan.
Martin.	Russek.
Murphy.	Sanderford.
Neal.	Small.
Oneal.	Stone.
Parr.	Woodruff.
Patton.	Woodul.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

**House Bill No. 555.**

The Chair laid before the Senate on its second reading the following bill:

By Mr. Hankamer, Mr. Tennyson, Mr. Stinson, Mr. Clayton, and Mr. Walker:

H. B. No. 555, A bill to be entitled "An Act to amend Article 2350, of Title 44, of the Revised Civil Statutes of the State of Texas, 1925, as amended by Act of the Thirty-ninth Legislature, Regular Session, Chapter 135, Section 1, and as amended by Act of the Fortieth Legislature, page 435, Chapter 490, Section 1, and as amended by Act of the Fortieth Legislature, First Called Session, page 138, Chapter 46, Section 1, relating to the salaries of county commissioners; repealing all laws, both general or special, and parts of laws, etc., and declaring an emergency."

Read second time.

On motion of Senator Regan, the bill was laid on the table subject to call.

**House Bill No. 475.**

The Chair laid before the Senate on its second reading the following bill:

By Mr. Burns and Mr. Daniel:

H. B. No. 475, A bill to be entitled "An Act amending Section 28, of Chapter 212, Acts of Regular Session, Fortieth Legislature; and declaring an emergency." (Relating to discharge of prisoners.)

The bill was read second time and passed to third reading.

On motion of Senator Patton the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 475 was put on its third reading and final passage by the following vote:

Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

Yeas—24.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Greer.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

Nays—2.

Hornsby.	Purl.
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Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

**Reason for Vote.**

I voted "No" on this bill because I believe that the State of Texas ought to play fair even with convicts. No doubt there are many convicts who are about to finish sentences of less than a year and who have been told repeatedly that if they obey the rules their time would be shortened and that they

would be given \$50.00 upon being released. I am perfectly willing to reduce this amount of money for prisoners serving less than a year, but I do think that the provision should have been made in this bill to apply to those convicts actually received in the Prison System after this bill goes into effect.

One of the greatest causes of "repeaters" in the penitentiary is society's harsh attitude toward convicts and a convict is in a very poor position to rehabilitate himself and to face the world with only \$25.00 after serving a sentence. I am not a sentimentalist, but I believe many convicts who have obeyed the rules and are looking forward to this \$50.00 from the State to assist them when they are released will feel that the State has "changed rules in the middle of the game." For that reason I vote "No."

#### PURL.

#### House Bill No. 934.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 934, A bill to be entitled "An Act conferring additional powers on the boards of trustees of independent school districts situated in counties having a population, according to the latest Federal census of more than 22,000 and less than 22,100 by providing that the boards of trustees of such districts may issue refunding warrants in lieu of eligible vouchers as defined herein, issued prior to January 1, 1932, prescribing the duties of the boards of trustees in reference to the issuance of said refunding warrants, expressly authorizing and validating said outstanding eligible vouchers and refunding warrants issued in lieu thereof; etc., and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Small, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 934 was put on its third reading and final passage by the following vote:

#### Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

#### Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

Read third time and finally passed by the following vote:

#### Yeas—26.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.

#### Absent—Excused.

Blackert.	Pace.
Cousins.	Woodward.
Moore.	

#### House Bill No. 329.

The Chair laid before the Senate on its second reading the following bill:

By Mr. Griffith:

H. B. No. 329, A bill to be entitled "An Act to amend Sections 7, 20, 23, and 24 of Chapter 65, General and Special Laws, Forty-first Legislature, First Called Session, and Sections 16 and 17 of Chapter 65, General and Special Laws, Forty-first Legislature, First Called Session, as amended by Chapter 15, General Laws, Forty-first Legislature, Fifth Called Session, and Section 28 of Chapter 65, General and Special Laws, Forty-first Legislature, First Called Session, as

amended by Chapter 62, General Laws, Forty-first Legislature, Second Called Session, relating to regulating the avocation and art of barbering, prescribing such sanitary rules and regulations in order to insure the proper sanitary conditions, and to prevent the spreading of diseases, etc., and declaring an emergency."

Read second time.

On motion of Senator Purl, the bill was laid on the table subject to call.

**House Bill No. 91.**

The Chair laid before the Senate on its second reading the following bill:

By Mr. Steward:

H. B. No. 91, A bill to be entitled "An Act fixing the salary of the official court reporter in each judicial district composed of one county only, and in which county there is only one district court; and also in each judicial district composed of two or more counties; and also in each judicial district composed of one county, which county composes also a portion of another judicial district, etc., and declaring an emergency."

Read second time.

On motion of Senator DeBerry, the bill was laid on the table subject to call.

**House Bill No. 903.**

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 903, A bill to be entitled "An Act designating fur-bearing animals; declaring them the property of the State; declaring a five-year closed season on wild fox in Van Zandt County, and providing a penalty for violation of this Act, etc."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Pace, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 903 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Duggan.
Collie.	Fellbaum.
DeBerry.	Greer.

Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Redditt.
Martin.	Regan.
Murphy.	Russek.
Neal.	Sanderford.
Oneal.	Small.
Pace.	Stone.
Parr.	Woodruff.
Patton.	Woodul.
Poage.	

Absent—Excused.

Blackert.	Moore.
Cousins.	Woodward.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.
Pace.	

Absent—Excused.

Blackert.	Moore.
Cousins.	Woodward.

**House Bill No. 322.**

The Chair laid before the Senate on its second reading the following bill:

By Mr. Chastain and Mr. Wagstaff:

H. B. No. 322, A bill to be entitled "An Act to fix the tuition to be collected from students registering in the schools of collegiate rank, supported in whole, or in part, by appropriation of public funds from the State Treasury, and empowering the State Board of Education to grant scholarships to such institutions, and prescribing the regulations therefor."

Read second time.

On motion of Senator Collie, the bill was laid on the table subject to call.

**House Bill No. 47.**

The Chair laid before the Senate on its second reading the following bill:

By Mr. Morse, Mr. Mathis, Mr. Holland, and Mr. Bradley.

H. B. No. 47, A bill to be entitled "An Act to prohibit the wilful taking, injury, or destruction of trees, shrubs, vines, flowers, and moss on land of another, or on land reserved, set aside, or maintained by the State as a public highway or public park, or as a refuge or sanctuary for wild animals, etc., and declaring an emergency."

Read second time.

On motion of Senator Neal, the bill was laid on the table subject to call.

**House Bill No. 329.**

Senator Hornsby called up from the table H. B. No. 329.

The bill was passed to third reading.

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 329 was put on its third reading and final passage by the following vote:

Yeas—26.

Feck.	Parr.
Collie.	Patton.
Duggan.	Poage.
Fellbaum.	Purl.
Greer.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Russek.
Martin.	Sanderford.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Pace.	Woodul.

Absent.

DeBerry.

Absent—Excused.

Blackert.	Moore.
Cousins.	Woodward.

Read third time and finally passed by the following vote:

Yeas—26.

Beck.	Martin.
Collie.	Murphy.
Duggan.	Neal.
Fellbaum.	Oneal.
Greer.	Pace.
Holbrook.	Parr.
Hopkins.	Patton.
Hornsby.	Poage.

Purl.	Sanderford.
Rawlings.	Small.
Redditt.	Stone.
Regan.	Woodruff.
Russek.	Woodul.

Absent.

DeBerry.

Absent—Excused.

Blackert.	Moore.
Cousins.	Woodward.

**House Bill No. 260.**

The Chair laid before the Senate on its second reading the following bill:

By Mr. Metcalfe:

H. B. No. 260, A bill to be entitled "An Act amending Article 791 of the Penal Code, providing that Section 8, of Article 827-a, of the Acts of 1929, Forty-first Legislature, Second Called Session, page 72, Chapter 42, as amended by the Acts of 1931, Forty-second Legislature, Regular Session, page 507, Chapter 282, relating to the speed of motor vehicles, shall not apply to fire patrols or motor vehicles operated by the fire department of any city, town, or village responding to calls, nor to police patrols or physicians and/or ambulances responding to emergency calls; and providing that incorporated cities and towns may, by ordinance, regulate the speed of ambulances, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Regan, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 260 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Neal.
Collie.	Oneal.
DeBerry.	Pace.
Duggan.	Parr.
Fellbaum.	Patton.
Greer.	Poage.
Holbrook.	Purl.
Hopkins.	Rawlings.
Hornsby.	Redditt.
Martin.	Regan.
Murphy.	Russek.

Sanderford. Woodruff.  
 Small. Woodul.  
 Stone.  
 Absent—Excused.

Blackert. Moore.  
 Cousins. Woodward.

Read third time and finally passed by the following vote:

Yeas—27.

Beck.	Parr.
Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Greer.	Redditt.
Holbrook.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Murphy.	Stone.
Neal.	Woodruff.
Oneal.	Woodul.
Pace.	

Absent—Excused.

Blackert. Moore.  
 Cousins. Woodward.

**House Bill No. 652.**

Senator Oneal asked unanimous consent to suspend the regular order of business and take up H. B. No. 652.

Objection was heard.

Senator Oneal moved to suspend the regular order of business and take up S. B. No. 652. The motion was lost by the following vote:

Yeas—8.

Collie.	Pace.
DeBerry.	Poage.
Neal.	Regan.
Oneal.	Woodruff.

Nays—10.

Hornsby.	Rawlings.
Martin.	Redditt.
Parr.	Small.
Patton.	Stone.
Purl.	Woodul.

Present—Not Voting.

Beck.	Fellbaum.
Duggan.	

Absent.

Greer.	Murphy.
Holbrook.	Russek.
Hopkins.	Sanderford.

Absent—Excused.

Blackert. Moore.  
 Cousins. Woodward.

**House Bill No. 911.**

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 911, A bill to be entitled "An Act defining and providing the powers and duties of commissioners court with regard to the laying out, opening, widening, draining, grading, construction, building, repairing, and maintaining of public roads, bridges, and viaducts; providing for the employment of a county engineer and purchasing agent; fixing the compensation of certain officers and employees, and defining their duties; authorizing and providing for the purchase and condemnation of land, materials, and dirt for the construction and maintenance of public highways, and providing for the appraisal of same; abolishing the payment of road taxes by labor, and providing for the use of convicts on public projects; prohibiting any officer and employee of the county from being interested in any contract involving said county; etc., and declaring an emergency."

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Purl, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 911 was put on its third reading and final passage by the following vote:

Yeas—25.

Collie.	Patton.
DeBerry.	Poage.
Duggan.	Purl.
Fellbaum.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Russek.
Martin.	Sanderford.
Murphy.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Pace.	Woodul.
Parr.	

Absent.

Beck. Blackert.  
 Absent—Excused.  
 Cousins. Moore.  
 Greer. Woodward.

Read third time and finally passed.

**Motion to Set Special Order.**

Senator Redditt moved to set H. B. No. 70 as special order Monday morning immediately following the morning call. The motion prevailed.

**Bill Introduced.**

By unanimous consent, the rule relating to the introduction of general bills after the first 52 days of the session was suspended and consent was granted to introduce the following bill:

By Senator Regan:  
 S. B. No. 565, A bill to be entitled "An Act relating to the duties of the county board of trustees of public schools of this State, in all counties having an area of not more than three thousand eight hundred (3,800) square miles and not less than three thousand six hundred (3,600) square miles and a population of not less than nine thousand and eight hundred (9,800) and not more than twelve thousand, according to the 1930 Federal census, authorizing them to condemn land for school purposes; to subdivide their respective counties into convenient school districts; to increase or reduce the area of independent and common school districts; create additional districts; consolidate two or more adjacent districts; subdivide any districts, revise or rearrange the boundaries of any district; attach territory thereto or detach territory therefrom and to adjust the district properties and bonded indebtedness against such districts and detach or add territory upon a just and equitable basis, providing a method of apportioning school funds to the respective districts and providing for the election of the county board of school trustees; providing other matters and things necessary and incidental to the main purpose and subject to this Act, whether mentioned

in detail in this caption or not; and repealing all laws, general or special, in conflict therewith, and declaring an emergency."

Read and referred to Committee on Educational Affairs.

**Former Mascot Presented.**

The Chair introduced J. Y. Jones, former mascot of the Senate, to the Senate.

**Adjournment.**

Senator Poage moved to adjourn until 10 o'clock tomorrow morning.

Senator Rawlings moved to adjourn until 10 o'clock Monday morning.

Senator Poage raised the point of order that a quorum was lacking.

The roll call showed the following present:

Collie.	Purl.
DeBerry.	Rawlings.
Hornsby.	Redditt.
Martin.	Regan.
Neal.	Sanderford.
Oneal.	Small.
Pace.	Stone.
Parr.	Woodruff.
Patton.	Woodul.
Poage.	

**Absent.**

Beck.	Holbrook.
Blackert.	Hopkins.
Cousins.	Moore.
Duggan.	Murphy.
Fellbaum.	Russek.
Greer.	Woodward.

Senator Rawlings moved a call of the Senate for the purpose of securing and maintaining a quorum until the time to which the Senate would adjourn was determined. The motion prevailed.

Senator Poage moved to recess until 9:30 o'clock tomorrow morning.

Senator Purl moved to adjourn until 9:45 o'clock Monday morning.

Senator Poage raised the point of order that the motion was out of order while a quorum was lacking.

The Chair, President Pro Tem. Walter Woodul, sustained the point of order.

The motion to recess was lost by the following vote:

Yeas—6.

Collie.	Oneal.
DeBerry.	Poage.
Neal.	Woodruff.

Nays—16.

Duggan.	Purl.
Greer.	Rawlings.
Hornsby.	Redditt.
Martin.	Regan.
Murphy.	Sanderford.
Pace.	Small.
Parr.	Stone.
Patton.	Woodul.

Absent.

Beck.	Holbrook.
Blackert.	Hopkins.
Fellbaum.	Russek.

Absent—Excused.

Cousins.	Woodward.
Moore.	

Senator Rawlings moved to adjourn until Monday morning at 10 o'clock. The motion prevailed.

Senator Collie asked to be recorded as voting "No."

At 6:47 o'clock p. m., the Senate adjourned.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,  
Austin, Texas, May 19, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 185 carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

Committee Room,  
Austin, Texas, May 18, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 553, carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

Committee Room,  
Austin, Texas, May 18, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 100,

carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

Committee Room,  
Austin, Texas, May 18, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 288, carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

Committee Room,  
Austin, Texas, May 18, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 289, carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

Committee Room,  
Austin, Texas, May 18, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 468, carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

Committee Room,  
Austin, Texas, May 18, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 247, carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

Committee Room,  
Austin, Texas, May 19, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 527, carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

Committee Room,  
Austin, Texas, May 18, 1933.  
Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 500, carefully examined and compared and find same correctly enrolled.  
GREER, Chairman.

**Committee on Engrossed Bills.**

Committee Room,  
Austin, Texas, May 19, 1933.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 532 carefully examined and compared, and find same correctly engrossed.

REGAN, Chairman.

**Committee Reports.**

Committee Room,  
Austin, Texas, May 19, 1933.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 282, A bill to be entitled "An Act to levy an income tax upon natural persons and corporations for the purpose of reducing the State ad valorem tax upon property; defining certain terms; providing that first tax shall be assessed in 1934 on net income for 1933; providing for rates for individuals and corporations; specifying under what conditions estates, trusts and fiduciaries are taxable, and method of taxing same; exempting certain non-profit organizations; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do not pass.

HOPKINS, Chairman.

Committee Room,  
Austin, Texas, May 19, 1933.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

H. B. No. 937, A bill to be entitled "An Act validating bonds of cities and towns issued for the purchase, construction, improvement or repair of any light, gas, water or sewer system owned and operated by such city or town, under authority of Chapter 314, of the General Laws passed by the Forty-second Legislature at its Regular Session, in 1931, where such bonds have been approved, as to legality and purpose, by the Reconstruction Finance Corporation; validating the sale of such bonds and declaring the same legal obligations upon the properties encumbered to secure their payment;

providing and authorizing the issuance, sale and delivery of any such bonds heretofore authorized pursuant to said Statute; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODUL, Chairman.

Committee Room,  
Austin, Texas, May 18, 1933.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Labor, to whom was referred

H. B. No. 325, A bill to be entitled "An Act to amend Article 5166, Chapter 5, Title 83 of the Revised Civil Statutes of Texas of 1925 relating to the hours of labor; providing for current rate of wages to be paid, and providing a penalty for violation of the Act."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PURL, Chairman.

Committee Room,  
Austin, Texas, May 19, 1933.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on Finance, to whom was referred

H. C. R. No. 83, (Correcting error in House Bill No. 169 affecting the following item of appropriation for the State Orphans Home at Corsicana, to-wit: "Teachers, primary, four (4), none exceeding \$60 per month—\$2880," so that it will read: "Teachers, primary, four (4), none exceeding \$80 per month."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HOLBROOK, Chairman.

Committee Room,  
Austin, Texas, May 19, 1933.  
Hon. Edgar E. Witt, President of the  
Senate.

Sir: We, your Committee on State Highways and Motor Traffic, to whom was referred

H. B. No. 911, A bill to be entitled "An Act defining and providing the

powers and duties of the commissioners court in counties having a population of more than three hundred thousand (300,000) and less than three hundred fifty thousand (350,000) inhabitants according to the last preceding Federal census, with regard to the laying out, opening, widening, draining, grading, constructing, building, repairing and maintaining of public roads, bridges,

viaducts; providing for the appointment of a county engineer and prescribing his duties; etc., and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

RAWLINGS, Chairman.

**Final Disposition of Bills.**

SUPPLEMENT.

Number of Bill or Resolu- tion	Date Filed	Vote	
		House	Senate
S. B. No. 127.....	May 18, 1933 .....	Yeas 84	Yeas 27
	10:45 a. m.	Nays 26	Nays 0
S. B. No. 454.....	May 18, 1933 .....	Yeas 110	Yeas 28
	3:30 p. m.	Nays 0	Nays 0
H. J. R. No. 14.....	May 18, 1933 .....	Yeas 108	Yeas 24
	10:45 a. m.	Nays 7	Nays 3
H. B. No. 182.....	May 18, 1933 .....	Yeas 107	Yeas 25
	10:45 a. m.	Nays 5	Nays 0
H. B. No. 264.....	May 18, 1933.....	Yeas 115	Yeas 27
	10:45 a. m.	Nays 0	Nays 0
H. B. No. 280.....	May 18, 1933 .....	Passed by viva	Yeas 27
	10:45 a. m.	voce vote	Nays 0
H. B. No. 296.....	May 18, 1933 .....	Yeas 109	Yeas 27
	10:45 a. m.	Nays 0	Nays 0
H. B. No. 319.....	May 18, 1933.....	Yeas 110	Yeas 24
	10:45 a. m.	Nays 0	Nays 2
H. B. No. 348.....	May 18, 1933.....	Yeas 105	Yeas 27
	10:45 a. m.	Nays 0	Nays 0
H. B. No. 360.....	May 18, 1933 .....	Yeas 105	Yeas 25
	10:45 a. m.	Nays 2	Nays 0
H. B. No. 450.....	May 18, 1933 .....	Yeas 106	Yeas 26
	10:45 a. m.	Nays 0	Nays 1
H. B. No. 578.....	May 18, 1933 .....	Yeas 127	Yeas 27
	10:45 a. m.	Nays 2	Nays 0
H. B. No. 891.....	May 18, 1933.....	Yeas 105	Yeas 25
	10:45 a. m.	Nays 0	Nays 0
H. B. No. 926.....	May 19, 1933 .....	Yeas 107	Yeas 31
	9:10 a. m.	Nays 0	Nays 0

W. W. HEATH, Secretary of State.